

FLOOR SCHEDULE FOR FRIDAY APRIL 12, 2013

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
10:00 a.m.: Legislative Business Five "One Minutes" per side	11:00 – 11:30 a.m.	11:30 a.m. – 12:00 p.m.

H.R. 1120 – Preventing Greater Uncertainty in Labor-Management Relations Act (Rep. Roe – Education and the Workforce) (One Hour of Debate). This bill would prevent the National Labor Relations Board (NLRB) from taking most official actions until the Senate confirms new members, the Supreme Court upholds President Obama’s recess appointments, or the first session of the 113th Congress ends. It would also invalidate every action taken since January 2012 that required a quorum.

The NLRB plays a critical role in addressing disputes both for workers and for employers, reviewing appeals on unfair labor practice rulings by administrative law judges and petitions for elections made by NLRB regional directors. If this bill were to become law, those appeals could not be heard, decisions could not be enforced, violations of workers’ rights would go unremedied and unpunished, and union elections could not be certified. The bill also threatens to shut down all elections and unfair labor practice proceedings in entire regions of the country, creating significant chaos in workplaces.

Because there is no right under the National Labor Relations Act (NLRA) to address disputes directly in a federal court, this bill would deny businesses and workers any meaningful recourse when their NLRA rights are violated. Without a functioning board, wronged workers would have nowhere to turn for the enforcement of their rights under the law. There would be no one to enforce reinstatement orders for workers who were wrongfully terminated and businesses would lose a forum to address disputes. Despite its name, this bill would create uncertainty rather than prevent it.

The bill purports to be an effort to enforce the District of Columbia Circuit Court’s January opinion in *Noel Canning v. NLRB*. That decision, which has been sharply criticized as partisan and contrary to decades of precedent, has already been appealed to the Supreme Court. It would be improper as well as unusual for Congress to insert itself into this process even if the Circuit Court’s ruling was widely accepted, which it is not.

In fact, since the 1980s, hundreds of nominees have been placed in various positions throughout federal agencies and the courts by recess appointments like these, including 12 Republicans to the NLRB. Every president since Reagan has appointed a member to the board through the recess appointment clause. President Reagan made 240 recess appointments; President Clinton made 139; and President George W. Bush made 171. Former Federal Reserve chairman Alan Greenspan, former U.S. representative to the U.N. John Bolton, and NLRB member Peter Schaumber were all appointed during intra-session recesses.

President Obama was forced to appoint Sharon Block, Terence Flynn, and Richard Griffin to the NLRB because the Senate Republicans vowed to block all nominations to the board. Senator Lindsey Graham (R-SC) even said that the board being “inoperable is progress.” This bill represents more of the same from the House Republicans: partisan legislation aimed at achieving ideological goals instead of pursuing solutions to help our country. House Republicans have made it their goal to break the NLRB any way they can, and this legislation is another step towards that end. **Members are urged to VOTE NO.**

Bill Text for H.R. 1120:

[HTML Version](#)

[PDF Version](#)

Background for H.R. 1120:

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

The Daily Quote

"Budgets are a rare opportunity to cut through the two parties' rhetoric and see the numbers behind their visions for the country. In this case, the difference between Obama and the House Republicans' visions for the country is about \$4.6 trillion over the next decade...That \$4.6 trillion represents a stark choice. If used as Obama hopes, it means tens of millions more Americans with health insurance, a more generous food stamp program, more college aid, and more investments in biomedical research, among others. If used as the Republicans hope, it means less debt and lower taxes on the wealthy. Both budgets bring the deficit down to more-than-manageable levels. Republicans, of course, are looking to eliminate the deficit entirely. But the White House brings the deficit down to 1.7 percent of GDP. Achieving that goal would mean America's debt load would be falling as a percentage of GDP, which is the measure most economists look to see if our finances are stable. The Republican budget argues that its cuts aren't so much a choice as a necessity. 'Unless we change course,' reads the introduction, 'we will have a debt crisis.' But that's incomplete. The truth of the Republican budget is that it's only necessary if you refuse to raise taxes and if you insist on balancing the budget within 10 years. Obama's budget is meant to expose those premises: It's a demonstration of how more modest spending cuts, when added to new revenues, can stabilize the debt while leaving room for new investments. In other words, the federal government can do most of the things it's doing now, and more. Deep cuts aren't a necessity so much as a choice."

- Ezra Klein, Washington Post, 4/10/13